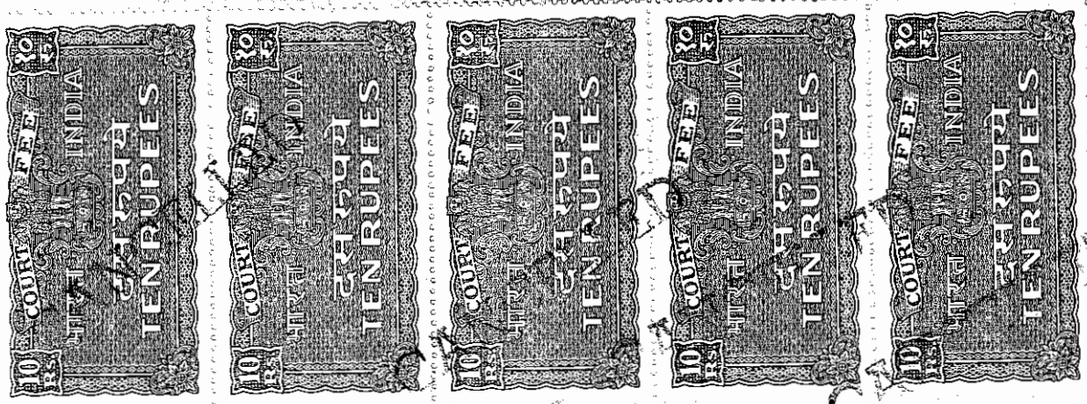

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No. 1737 /2002

PETITIONER : Zila Sahkari Kendriya Bank Karmachari Sangh, Ambikapur, District- Sarguja through its President – Ram Pravesh Singh S/o Late Shri Kapil Deo Singh, aged about 52 years, R/o Batti Road Kedarpur, Ambikapur (C.G.).

- Versus-

RESPONDENTS :

1. State of Chhattisgarh, Through Secretary, Department Of Co-operative, Mantralaya, D.K.S. Building, Raipur(C.G.)
2. The Registrar, Co-operative Societies, Raipur (C.G.)
3. Assistant Registrar, Co-operative Societies, Ambikapur, Distt. Sarguja.
4. Deputy Registrar, Co-operative Societies, Ambikapur, Distt. Sarguja.
5. The District Central Cooperative Bank Ltd. Ambikapur, Through it's Chairman at Ambikapur, District- Sarguja.

P. R. No. 1740/02 Presented by Shri ... dated ... 23.8.02

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A WRIT IN THE NATURE OF MANDAMUS, PROHIBITION, CERTIORARI ETC. OR ANY OTHER DIRECTION OR ORDER TO DO JUSTICE IN THE MATTER.

Details of the petition.

Received Copy-Clerk T.C. 17 CL 23/8/2002

HIGH COURT OF CHHATTISGARH AT BILASPUR

S.B. : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION NO.1737 OF 2002

Petitioner	:	Zila Sahkari Kendriya Bank Karmachari Sangh, Ambikapur
	versus	
Respondents	:	State of Chhattisgarh and others

Present : Mr. Sameer Behar, counsel for the petitioner.
Mr. Sushil Dubey, Government Advocate for respondents No.1 to 4.
Mr. Rajesh Pandey, counsel for respondent No.5.

ORDER
(Passed on 28th of August, 2006)

This petition is filed in the representative capacity on behalf of daily wager employees seeking relief that the members of the petitioner - Sangh be granted parity with the regular employees and further they be paid arrears of salary from 1-1-1996 to 31-7-1998. The members of the petitioner - Sangh were appointed on daily wages basis on the basis of work required for them. They

were given wages accordingly. The appointment of the members of the petitioner - Sangh was admittedly not in accordance with law and not under Constitutional Scheme.

2. In view of the dictum laid down by a Constitutional Bench of the Supreme Court in *Secretary, State of Karnataka and others vs. Umadevi (3) and others*[1] and thereafter further followed in *Mineral Exploration Corporation Employees' Union vs. Mineral Exploration Corporation Limited and another*[2] and *National Fertilizers Limited and others vs. Somvir Singh*[3], the members of the petitioner - Sangh have no right to regularization, absorption, continuation or payment of salary at par with regular employees.

3. For the reasons above-stated, this petition stands dismissed. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

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1 (2006) 4 SCC 1
2 JT 2006 (7) SC 151
3 (2006) 5 SCC 493